



US Army Corps  
of Engineers  
Alaska District

Regulatory Branch (1145b)  
3437 Airport Way  
Suite 206  
Fairbanks, Alaska 99709-4777

# Public Notice of Application for Permit

PUBLIC NOTICE DATE: July 1, 2005

EXPIRATION DATE: July 30, 2005

REFERENCE NUMBER: POA-2005-863-4

WATERWAY: Yukon River

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Brice Incorporated, 3200 Shell Street, Post Office Box 70668, Fairbanks, Alaska 99707. Contact: Mr. Tom Benjamin.

LOCATION: Lat. 65.1737°N, Long. 152.0288°W. Section 16, T. 4 N., R. 22 W., Fairbanks Meridian near Tanana, Alaska.

WORK: The applicant proposes to mechanically clear approximately five acres of wetlands for gravel extraction and approximately 0.62 acres for the construction of an access road. The proposed project also includes the discharge of approximately 2400 cubic yards of gravel fill into approximately 0.62 acres. The work would be completed in accordance with the attached plans, sheets 1 and 2 dated June 23, 2005, sheets 3-6 dated June 2, 2005 and sheet 7 dated June 29, 2005.

PURPOSE: The mechanized clearing would be done to prepare for gravel extraction. The fill would be placed to construct an access road from the gravel pit to White Alice Road.

ADDITIONAL INFORMATION: The 900 feet long, 24 feet wide two lane haul road would provide access to the upland gravel source from the White Alice Road. The road would be constructed as close to the south boundary of the property as possible. The width of the area to be cleared for road construction would be 30 feet and would impact 0.62 acres. An initial excavation of the road area would be done to check for the presence of gravel beneath the organic layer. If initial excavation for the road reveals an absence of gravel below the surface material, a suitable road surface would be constructed by placing geotextile material covered with approximately three feet of fill material for a total fill volume of approximately 2400 cubic yards into 0.62 acres. If excavation reveals a suitable road surface, no fill material would be needed for the roadway itself. The road would be excavated and the stripped material would be stockpiled. A small amount of fill (less than 50 cubic yards) would be needed for the construction of a ramp to the White Alice Road. A culvert would be placed under the fill to maintain drainage along the ditch line. Any fill placed for the road would be removed and placed within upland areas once mining is complete. If the road were excavated, the stripped overburden and topsoil material would be redistributed over the disturbed area once mining is complete.

Mining of the uplands would occur first. Mining within the five acres of wetlands would occur only if the upland site does not provide the amount of fill material

required. The area would be stripped and the overburden and topsoil material would be stockpiled on uplands. This stripped material would be redistributed within the disturbed area once mining was complete. The side slopes of the pit would have a three to one slope once mining is completed. When closed, the area would be reseeded on the spread topsoil/overburden to facilitate growth of vegetation.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES:

No threatened or endangered species are known to use the project area.

Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. *et seq* and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors which become relevant in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Ellen Huber at the Fairbanks Field Office, 907-474-2166, or by email at [Ellen.M.Huber@poa02.usace.army.mil](mailto:Ellen.M.Huber@poa02.usace.army.mil) if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer  
U.S. Army, Corps of Engineers

Attachments

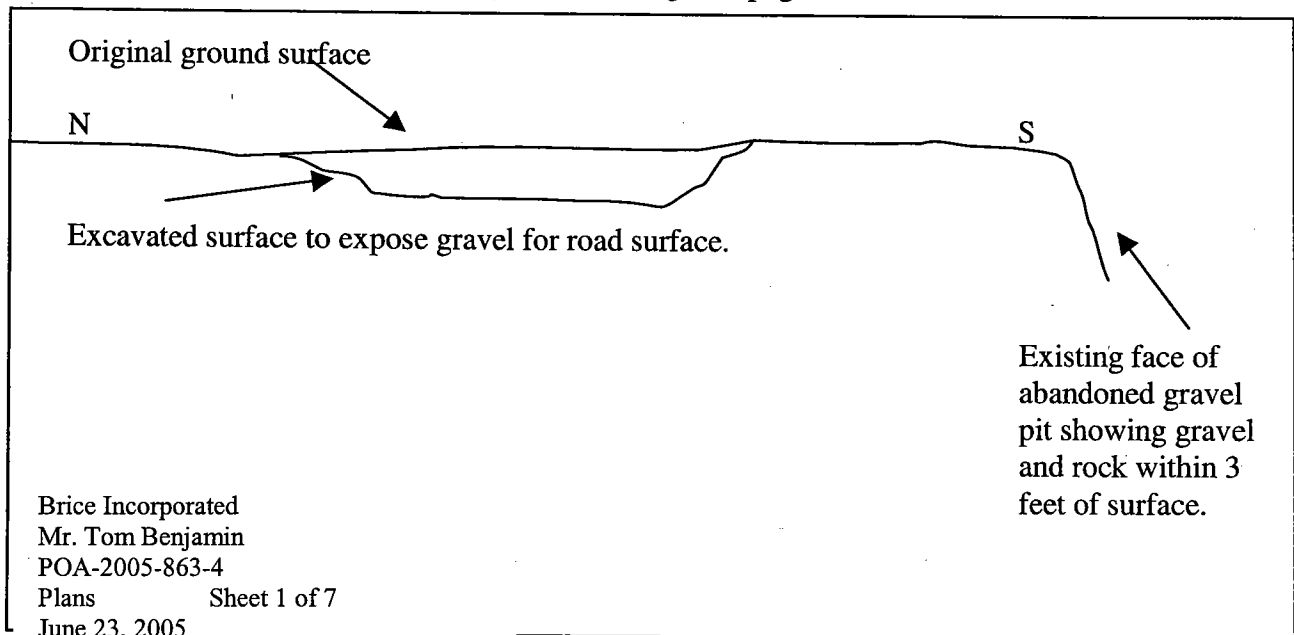


Addendum; June 23, 2005

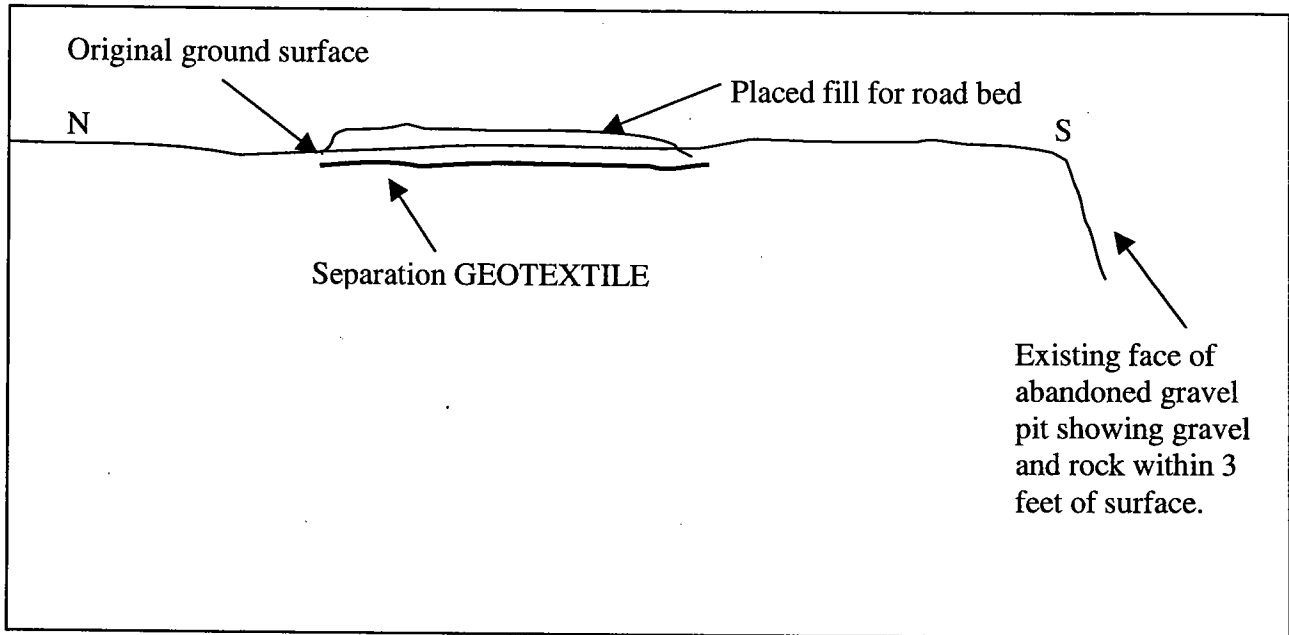
To June 2, 2005 Mining Plan for property of Betty Olin, Army Corps of Engineers designation POA-2005-863-9.

This is to clarify the extent of disturbance of wetlands within the property use requested in the application filed for a wetlands permit from the Army Corps of Engineers. The road developed to provide access to the White Alice Road from the uplands gravel source would consist of a two lane haul road that would provide a 24 foot wide surface, and no more than 30 foot wide stripped area. This approximate 900 foot long road would thus impact 0.62 acre area, to provide adequate access for the project. The road would be developed as close as practical to the South border of the property, running East West from the White Alice Road to the uplands portion of the property. This location would be 20 to 40 feet North of the existing highwall of the previously used gravel pit. It is not anticipated that the gravel material would terminate in such a short distance. If initial excavation for the road reveal absence of gravel below the surface material, a suitable road surface would be provided by placing geotextile and then fill material up to a three foot layer and thus a quantity of about 2,400 yards of gravel would be placed. This material would come from the upland source and would be taken up after mining is complete. If excavated, the stripped material will be redistributed over the disturbance when material removal is completed.

Generalized Cross Section of Proposed White Alice Access Road  
North to left of page, South to right of page



Generalized Cross Section of Proposed White Alice Access Road with Fill  
North to left of page, South to right of page



As stated in the June 2, 2005 mining plan, an additional 5 acres of wetlands might be used for removal of gravel from beneath the surface material. This would be a portion of the property adjacent to the uplands, and stripped material would be removed to the uplands for storage. The stripped material would be replaced onto the wetlands following mining to reclaim the area. If road development shows that the gravel does not extend North of the uplands area, there will be no further disturbance to the wetlands beyond road development.

Updated generalized cross section for gravel extraction in upland site is sent with this addendum. Wetlands mining would maintain same side slopes, but stripped material would not be stockpiled at perimeter of site, but transported to uplands area until used for reclamation.

## Mining Plan

Army Corps of Engineers POA-2005-863-9

June 2, 2005

### Gravel Purchaser:

Brice Incorporated  
P.O. Box 70668  
Fairbanks, Alaska 99707  
907-452-2512

### Allottee:

Betty Jean Olin  
9331 Jaclaime Lane  
Anchorage, Alaska 99502-1339  
907-248-2332

### Project:

Tanana Airport Improvements, State Project No. 3-02-0290-02/65093

The intent of this mining plan is to produce gravel from a native allotment owned by Betty Olin, for construction use at the Tanana Airport. The attached map provides the location which is also shown on the plat depicting the property originally designated lot 4 of U. S. Survey no. 10812. The overall lot contains 159.95 acres. The allotment consists of a southern portion that is primarily uplands with white spruce and some birch and poplar trees. A wetlands delineation has been performed by Travis/Peterson Environmental Consulting, Inc. that determines approximately 12 acres of Lot 4 as uplands. The remainder of the allotment is wetlands that surround Oscar Lake and extends to the property boundaries in all directions except the southern most portion. There is currently a road bisecting the property on a nearly North South orientation and listed on the survey as The White Alice Road. The road parallels the property line from corners 5 and 6 of the original survey. The area that would be mined would initially be a portion of the twelve acres in the uplands. The mining would commence in the southern portion of the property, starting 50 foot from the high water bank of the Yukon. There would also be a 30 foot buffer between the adjacent properties and the operation and 50 foot setback from the high water bank of the Yukon. Initial mining would be restricted to the upland

portion of the pit as designated by the uplands delineation. Following the extraction of gravel from the uplands, additional gravel would most likely be required and mining might proceed on a portion of the wetlands at the southern end of the property, adjacent to the mined uplands and furthest from Oscar Lake.

Because of the exposure in the gravel pit adjacent to this property, an exploration phase is thought to be unnecessary, and Brice Inc. is agreeable to bonding the project for reclamation with initial operations as stripping and excavation of the westernmost portion of the proposed area, without preliminary excavation of test pits.

Trees would be chipped and this material as well as the topsoil would be stripped and stockpiled. A 30 foot setback would be maintained from adjacent properties and a 50 foot setback from the high water bank along the Yukon River. It is anticipated that this would provide an area of 366,836 square feet or 8.42 acres within the setbacks. The depth of suitable material is uncertain at this time, but the GPS elevation difference moving away from the river is 100 feet, and the depth in the adjacent gravel pit is in excess of 20 feet below ground surface at the lowest elevation portion of this native allotment. If depth of material is calculated from a continuous slope from property line to back of uplands, this would produce approximately 420,000 cubic yards of material. The quantity of material meeting the construction specification is currently unknown, but as the specification for fill is moderately lenient, it is expected to use the majority of this available material. After this estimated 8 to 12 acres (350,000 to 525,000 sq. ft.) available in the uplands portion of the property is mined, this portion of the property would be used to stockpile any debris removed from wetlands in preparation for mining wetlands. It is proposed to mine up to an additional 5 acres of wetlands for material. This would impact an additional 6 to 7 acres with required slopes at closure.

Access to the White Alice Road would be required, Brice Inc. would develop a temporary road from the uplands directly West to the White Alice Road, as near as practical to the northern edge of the existing gravel pit. There is reasonable expectation of gravel material just below the vegetation. The cut bank in the existing pit has three to six inch cobbles in a horizontal strata in the North wall of the pit. A cut to remove material from the wetlands, with no fill would provide a very secure road for transport to the White Alice access. The

stripped material would be stockpiled and used for reclamation after project material is produced. Removed material could be deposited into the uplands portion of the allotment. A small amount of material will be needed as a ramp to the White Alice road elevation, a since the road is four to six feet above the gravel layer.

The 8 to 12 acres that are in the southern tip that is delineated as uplands will first have standing timber chipped, then the surface vegetation stripped, and the stripped material stockpiled on a portion of the uplands property. If sufficient topsoil is present it will be stockpiled separately as well. Gravel will be mined from the stripped portion to a depth not to extend below 4 feet above the seasonal high water table. After the first portion is mined, the stockpiles will be relocated and the remainder of the upland site will be mined, with the exception of the buffer areas to adjacent properties. If sufficient material is recovered at this point, no further area will be mined.

If more material is required and the wetlands permit allows, a 5 acre portion of the property designated as wetlands that is immediately adjacent to the uplands will have timber chipped and vegetation mat removed to a portion of the uplands area. Topsoil will be handled the same. After this, any unusable material will be stockpiled in the uplands area. Gravel will then be mined from this portion of the wetlands. Again, mining will cease at a depth of 4 feet above the normal high water table for the area. Production will continue until approved area has been mined, or until sufficient material has been produced.

Mining thus would commence in the southern portion of the property due East of an existing gravel pit that is adjacent to the White Alice Road as well as the Native Allotment. Access to the White Alice road would cross the existing pit if reasonable arrangements can be obtained from land owner, or else by a road developed across wetlands, to the White Alice road, on allotment property. Access to the remainder of the developed pit would be through the pit itself. Mining would be variable over the area used, but would be to a depth leaving 4 feet above the seasonal high water table, or to maintain required side slopes in the pit. Overburden will be pushed up with a dozer and as well as gravel. Either a loader or an excavator will load the gravel. A crusher will be set in the pit to crush a portion of the gravel extracted to make material for surface course. It is anticipated that approximately 450,000 cubic yards of material will be



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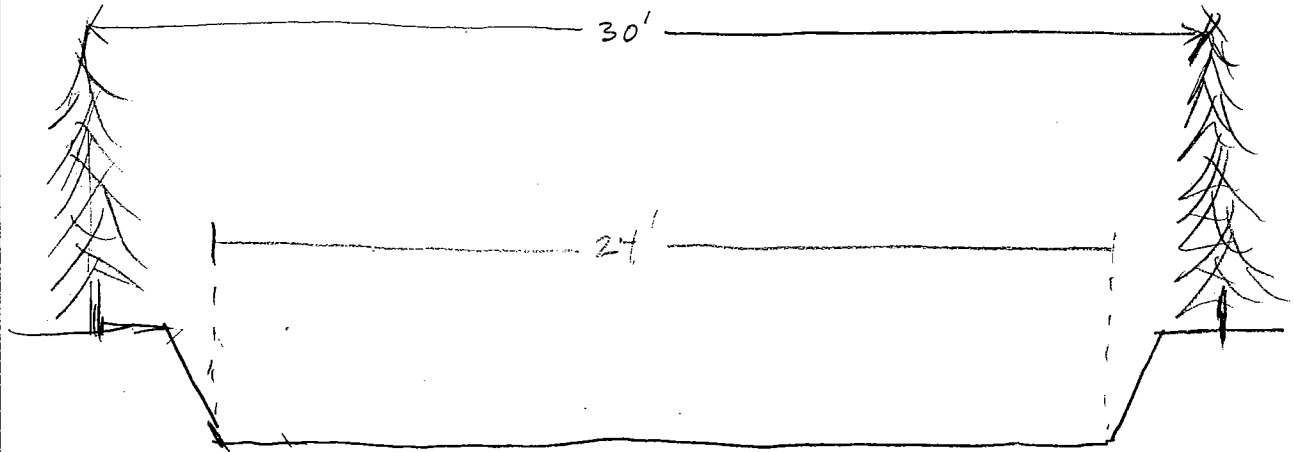
produced for the project. A bank slope of 1.5 horizontal to 1 vertical will be maintained during pit operation. No trash or waste will be placed in pit.

At the termination of gravel production, the overburden and topsoil would be redistributed over the gravel pit. When closed, the configuration would be a 3 to 1 horizontal to vertical shoulder around the perimeter of the pit. The stockpiled material would be spread over the pit floor. When closed, the area would be reseeded on the spread topsoil/overburden to facilitate growth of cover crop.

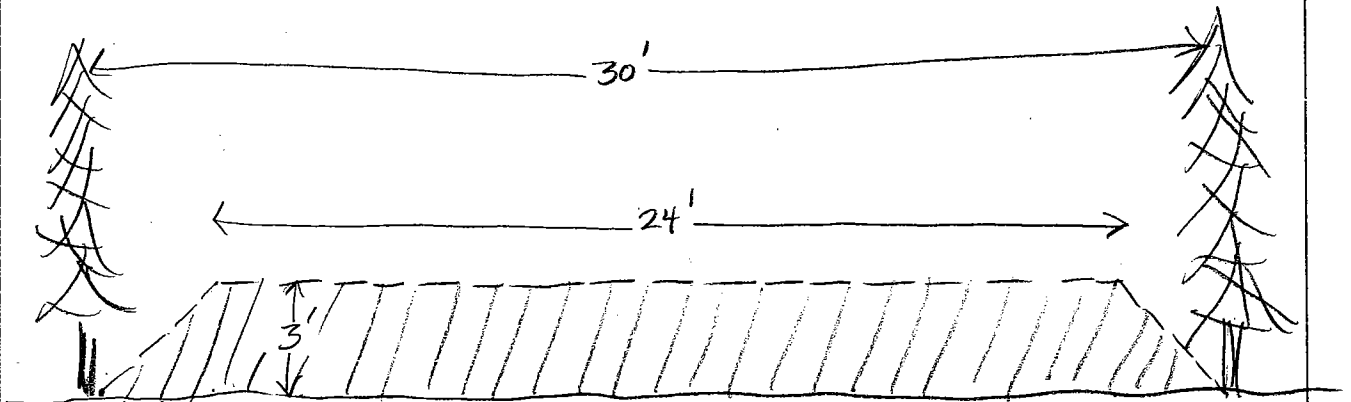
42-301 50 SHEETS EYE-EASE 1/4 SQUARE  
42-302 100 SHEETS EYE-EASE 1/4 SQUARE  
42-303 200 SHEETS EYE-EASE 1/4 SQUARE



## EXCAVATED ROAD

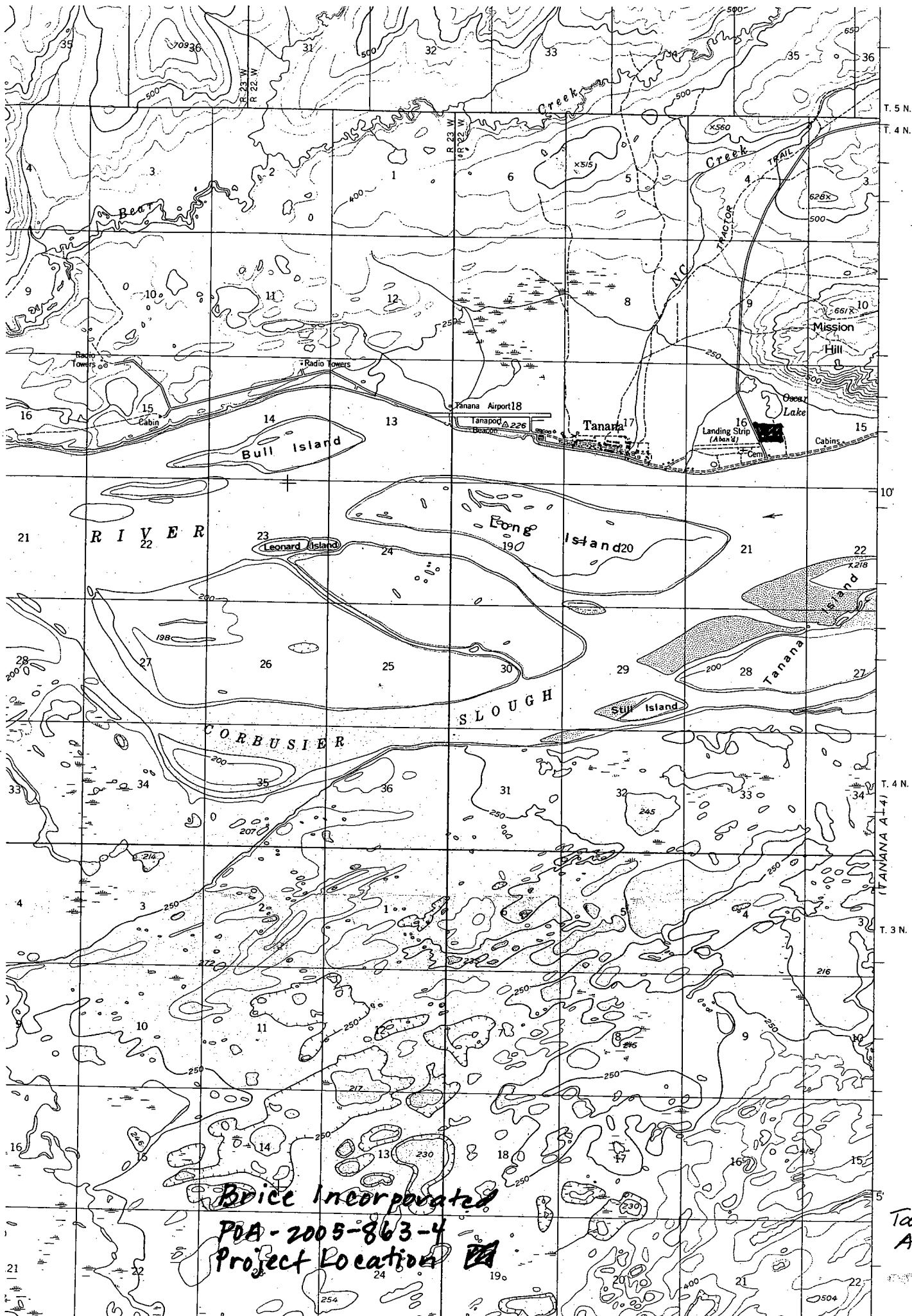


## GRAVEL ROAD



Brice Incorporated  
Mr. Tom Benjamin  
POA-2005-863-4  
Cross Sections  
June 29, 2003

Sheet 7 of 7



Brice Incorporated

POA-2005-863-4

Project Location

Tanana  
A-5

- Site

FRANK H. MURKOWSKI, GOVERNOR

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

## DEPT. OF ENVIRONMENTAL CONSERVATION

### DIVISION OF WATER

Non-Point Source Water Pollution Control Program  
401 Certification Program

### NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. **POA 2005 863 4, Yukon River** serves as application for a short-term variance of State Water Quality Certification from the Department of Environmental Conservation, as provided in Section 401 of the Clean Water Act of 1977 (PL 95-217).

The Department will review the proposed activity to ensure that, except for an allowed, short-term variance, any discharge to waters of the United States resulting from the referenced project will comply with the Clean Water Act of 1977 (PL95-217), the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

**Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:**

Department of Environmental Conservation  
WQM/401 Certification  
555 Cordova Street  
Anchorage, Alaska 99501-2617  
Telephone: (907) 269-7564  
FAX: (907) 269-7508